

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29280 of 2023

Arising Out of PS. Case No.-6 Year-2022 Thana- SAHEBPUR KAMAL District- Begusarai

Lakhbindar Singh Son Of Khel Singh Resident Of Village-Fatehghadh, Ps-
Sadar Pathankot, Dist-Pathwankot Punjab

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhananjay Mishra

For the Opposite Party/s : Mr.Nand Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 18-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in anticipation of his arrest in
a case registered for the offences punishable under Sections
120(B), 414, 420 of the I.P.C. and Sections 30(a), 36, 41(1) of
the Excise Act.

The learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and the allegation is
of recovery of 5117.76 litre of liquor from a truck.

The learned counsel for the petitioner submits that
petitioner was not arrested from the spot, as such, nothing was
recovered from his conscious possession. It is next submitted
that petitioner is a businessman and is owner of the truck. It is
further submitted that no prudent businessman would use his



own vehicle for committing a crime and thus, would create evidence against himself and hence, would get implicated and at the same time, would bring disrepute to the business. The learned counsel next submits that petitioner was completely unaware that the hirer of the truck in connivance with the driver misused the vehicle in the manner as alleged, when admittedly, petitioner is a person with clean antecedent.

Learned A.P.P. opposes the bail application.

Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 1,000/- (Rupees One Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court No.2, Begusarai in connection with Sahebpur Kamal P. S. Case No.06 of 2022, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Satyavrat Verma, J)

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